

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**J.Q.T., a minor, by and through his parent
natural guardian Juan Jovan Quinones,
Plaintiff,**

v.

**STEPHANIE AMATO, and
THE SCHOOL DISTRICT OF
PHILADELPHIA,
Defendants.**

CIVIL ACTION

NO. 17-3316

O R D E R

AND NOW, this 21st day of September, 2018, upon consideration of Defendant School District of Philadelphia's Motion to Dismiss (Document No. 16, filed July 26, 2018), Plaintiff's Response to Defendant, School District of Philadelphia's Motion to Dismiss (Document No. 22, filed August 23, 2018), and Defendant's Reply Brief in Support of the Motion to Dismiss (Document No. 25, filed August 30, 2018), for the reasons set forth in the accompanying Memorandum dated September 21, 2018, **IT IS ORDERED** that Defendant's Motion to Dismiss is **DENIED WITHOUT PREJUDICE** to defendant's right to raise the issues presented after completion of discovery by motion for summary judgment and/or trial.

IT IS FURTHER ORDERED that a Preliminary Pretrial Conference will be scheduled in due course. Discovery may proceed in the interim.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.